EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2006-0708-DCL-E TCEQ ID: RN104087390, RN104087473, RN104087416, and RN102150364 CASE NO.: 29777

RESPONDENT NAME: CHEZ-SALIN QUALITY CLEANERS, INC. DBA RODEO CLEANERS 1, DBA RODEO CLEANERS 2, DBA RODEO CLEANERS 3, AND DBA LYRIC SOUTH CLEANERS

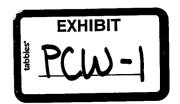
Pleasanton Road, San Antonio, Bexar County TYPE OF OPERATION: Dry cleaning facility and three drop stations SMALL BUSINESS: X Yes No OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding.							
SOAH HEARING _FINDINGS DEFAULT ORDER _SHUTDOWN ORDER _IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER _AMENDED ORDER _AREMULTI-MEDIA (check all that apply)INDUSTRIAL HAZARDOUS WASTE _PUBLIC WATER SUPPLY _PETROLEUM STORAGE TANKS _OCCUPATIONAL CERTIFICATION _WATER QUALITY _SEWAGE SLUDGE _UNDERGROUND INJECTION CONTROL _MUNICIPAL SOLID WASTE _RADIOACTIVE WASTE _X_DRY CLEANER REGISTRATION SITE WHERE VIOLATION(S) OCCURRED: 5414 W. Military Drive, 633 S. WW White Road, 4707 Pecan Valley Drive, and 2604 Pleasanton Road, San Antonio, Bexar County TYPE OF OPERATION: Dry cleaning facility and three drop stations SMALL BUSINESS: _X_YesNo OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regardin	ORDER TYPE:	Sec.					
ENDANGERMENT ORDER _AMENDED ORDER _EMERGENCY ORDER CASE TYPE: _AIR	X 1660 AGREED ORDER	FINDINGS AGREED ORDER					
CASE TYPE: AIR	FINDINGS DEFAULT ORDER	SHUTDOWN ORDER					
AIRMULTI-MEDIA (check all that apply)INDUSTRIAL HAZARDOUS WASTE _PUBLIC WATER SUPPLYPETROLEUM STORAGE TANKSOCCUPATIONAL CERTIFICATION _WATER QUALITYSEWAGE SLUDGEUNDERGROUND INJECTION CONTROL _MUNICIPAL SOLID WASTERADIOACTIVE WASTEX DRY CLEANER REGISTRATION SITE WHERE VIOLATION(S) OCCURRED: 5414 W. Military Drive, 633 S. WW White Road, 4707 Pecan Valley Drive, and 2600 Pleasanton Road, San Antonio, Bexar County TYPE OF OPERATION: Dry cleaning facility and three drop stations SMALL BUSINESS:X YesNo OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding.	_AMENDED ORDER	EMERGENCY ORDER					
	CASE TYPE:						
	AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL HAZARDOUS WASTE				
	PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION				
SITE WHERE VIOLATION(S) OCCURRED: 5414 W. Military Drive, 633 S. WW White Road, 4707 Pecan Valley Drive, and 2600 Pleasanton Road, San Antonio, Bexar County TYPE OF OPERATION: Dry cleaning facility and three drop stations SMALL BUSINESS: X Yes No OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding	WATER QUALITY	SEWAGE SLUDGE					
Pleasanton Road, San Antonio, Bexar County TYPE OF OPERATION: Dry cleaning facility and three drop stations SMALL BUSINESS: X Yes No OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding.	MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	X DRY CLEANER REGISTRATION				
INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter. COMMENTS RECEIVED: The Texas Register comment period expired on January 26, 2009. No comments were received. CONTACTS AND MAILING LIST: TCEQ Attorney: Ms. Rebecca M. Combs, Litigation Division, MC 175, (512) 239-6939 Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019 TCEQ Enforcement Coordinator: Mr. Rajesh Acharya, Waste Enforcement Section, MC 128, (512) 239-0577 TCEQ Regional Contact: Mr. Henry Karnei, San Antonio Regional Office, MC R-13, (210) 403-4010 Respondent: Mr. Pierre Sanchez, Owner, Chez-Salin Quality Cleaners, Inc., 5414 W. Military Drive, San Antonio, Texas 78242 Respondent's Attorney: Not represented by counsel on this enforcement matter.	TYPE OF OPERATION: Dry cleaning facility and three drop stations SMALL BUSINESS: _X _Yes No OTHER SIGNIFICANT MATTERS: There are no complaints. There is no record of additional pending enforcement actions regarding this facility location. INTERESTED PARTIES: No one other than the ED and the Respondent has expressed an interest in this matter. COMMENTS RECEIVED: The Texas Register comment period expired on January 26, 2009. No comments were received. CONTACTS AND MAILING LIST: TCEQ Attorney: Ms. Rebecca M. Combs, Litigation Division, MC 175, (512) 239-6939 Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019 TCEQ Enforcement Coordinator: Mr. Rajesh Acharya, Waste Enforcement Section, MC 128, (512) 239-0577 TCEQ Regional Contact: Mr. Henry Karnei, San Antonio Regional Office, MC R-13, (210) 403-4010 Respondent: Mr. Pierre Sanchez, Owner, Chez-Salin Quality Cleaners, Inc., 5414 W. Military Drive, San Antonio, Texas 78242						

RESPONDENT NAME: CHEZ-SALIN QUALITY CLEANERS, INC. DBA RODEO Page 2 of 2 CLEANERS 1, DBA RODEO CLEANERS 2, DBA RODEO CLEANERS 3, AND DBA LYRIC SOUTH CLEANERS DOCKET NO.: 2006-0708-DCL-E

VIOLATION SUMMARY CHART:							
VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED					
Type of Investigation:	Total Assessed: \$4,740	Ordering Provision(s):					
Complaint _X_Routine Enforcement Follow-up Records Review	Total Deferred: \$0Expedited OrderFinancial Inability to PaySEP Conditional Offset	The Respondent shall undertake the following technical requirements: 1. Within 30 days, properly register the sites.					
Date of Complaint Relating to this Case: N/A Dates of Investigations Relating to this Case: May 18, 2006 and June 7, 2006	Total Paid to General Revenue: \$4,740 The Respondent has paid the \$4,740 administrative penalty in full.	2. Within 45 days, submit written certification to demonstrate compliance with the Ordering Provision above.					
Dates of NOEs Relating to this Case: May 26, 2006, July 28, 2006 and August 24,	Site Compliance History Classification: N/A						
2006	Person Compliance History Classification: High X Average Poor	}					
Background Facts: The EDPRP was filed on April 2, 2007. A signed Agreed Order was received on February 6, 2008.	Major Source: Yes X No Applicable Penalty Policy: September 2002						
Current Compliance Status: Respondent is not yet in compliance. However, Rodeo Cleaners 1 was sold and registered by the new owner.							
DCL: Failed to complete and submit the required registration forms to TCEQ for a dry cleaning facility and three drop stations [30 Tex. ADMIN. CODE § 337.11(e) and Tex. HEALTH & SAFETY CODE § 374.102(a)].		ı					
·)					
·							

Page 1 of 4 08	1/25/08 H:\ENFORCE\BCOMBS\ENF.Cases\Chez-Salin Quality Cleaner	s, Inc\2006-0708-PCW1.qpw
Policy Revision 2	Penalty Calculation Worksheet (PCW)	PCW Revision May 19, 2005
ICEQ		
	05-Jun-2006 30-Aug-2006 Screening 14-Jun-2006 EPA Due]
RESPONDENT/FACIL	ITY INFORMATION	
	Chez-Salin Quality Cleaners, Inc. dba Lyric South Cleaners	
Reg. Ent. Ref. No.		
Facility/Site Region		Minor Source
	(**************************************	
CASE INFORMATION		
Enf./Case ID No.		
	2006-0708-DCL-E Order Type	
Media Program(s)		
Multi-Media		Enforcement Team 7
Admin. Penalty \$ L	mit Minimum \$0 Maximum \$50	
	Dan alter Calardation Caption	
	Penalty Calculation Section	
TOTAL BASE PEN	NALTY (Sum of violation base penalties)	Subtotal 1 \$1,185
ADJUSTMENTS (+/-) TO SUBTOTAL 1	
	obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	
Compliance F	• • • • • • • • • • • • • • • • • • • •	totals 2, 3, & 7 \$0
•]
Notes	No adjustment for compliance history.	
	<u> </u>	J
Culpability	No S Enhancement	Subtotal 4 \$0
Curpability	110 076 Elimancement	Subtotal 4 \$0
Notes	The respondent does not meet the culpability criteria.	
Good Eaith E	ffort to Comply 0% Reduction	Subtotal 5 \$0
GOOG I AILII L	Before NOV NOV to EDPRP/Settlement Offer	σαρισία: σ
Extraordinary		
Ordinary		
N/A	X (mark with a small x)	
Notes	The respondent does not meet the good faith criteria.	
!		
Economic Be	nefit 0% Enhancement*	Subtotal 6 \$0
,	Total EB Amounts \$18 *Capped at the Total EB \$ Amount	
Approx. C	ost of Compliance \$250	
•		
SUM OF SUBTOT	ALS 1-7	Final Subtotal \$1,185
	·	
	S AS JUSTICE MAY REQUIRE	Adjustment \$0
Reduces or enhances the Fig	nal Subtotal by the indicated percentage. (Enter number only; e.g30 for -30%.)	,
Notes		
140163	•	
•	Final Pe	nalty Amount \$1,185
STATUTORY LIMI	T ADJUSTMENT Final Asset	essed Penalty \$1,185
DEFERRAL	0% Reduction	Adjustment \$0
Reduces the Final Assessed	Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)	
Notes	This is not an expedited case.	
notes	This is not all expedited case.	, 1

PAYABLE PENALTY



Screening Date 14-Jun-2006

Docket No. 2006-0708-DCL-E

PCV

Respondent Chez-Salin Quality Cleaners, Inc. dba Lyric South Cleaners Case ID No. 29777

Policy Revision 2 (September 2002) PCW Revision May 19, 2005

Reg. Ent. Reference No. RN102150364

Media [Statute] Drycleaner

Enf. Coordinator Shontay Wilcher

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of En	ter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
•	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement order without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	ors 0	0%
Judgments and	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a deni of liability, of this state or the federal government	al 0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audita	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were	0	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
		Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%

	Flease Li	iter res or ivo	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

		•	Adjustment Percentage (Subtotal 2)	0%				
>>	Repeat Violator	(Subtotal 3)						
	N/A	V	Adjustment Percentage (Subtotal 3)	0%				
>>	Compliance His	tory <i>Person</i> Clas	sification (Subtotal 7)					
	Average Perfo	ormer <	Adjustment Percentage (Subtotal 7)	0%				
>>	Compliance His	tory Summary	•					
	Compliance History Notes		No adjustment for compliance history.					
	_		Total Adjustment Percentage (Subtotals 2 3 & 7)	0%				

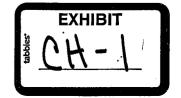
Page 3 of 4 08/25/08 H:\ENFORCE\BCOMBS\ENF.Cases\Chez-Salin Quality Cleaners, Inc\2006-0708-PCW1.qpw Screening Date 14-Jun-2006 Docket No. 2006-0708-DCL-E Respondent Chez-Salin Quality Cleaners, Inc. dba Lyric South Cleaners Policy Revision 2 (September 2002) Case ID No. 29777 PCW Revision May 19, 2005 Reg. Ent. Reference No. RN102150364 Media [Statute] Drycleaner Enf. Coordinator Shontay Wilcher **Violation Number** 30 Tex. Admin. Code § 337.11(e) Primary Rule Cite(s) Tex. Health and Safety Code § 374.102 Secondary Rule Cite(s) The respondent failed to renew the facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning Violation Description and/or drop station facility. Base Penalty \$50 **Environmental, Property and Human Health Matrix** >> Harm Release Moderate Minor OR Actual Percent Potential **Programmatic Matrix** >> Falsification 10% Percent 100% of the rule requirement was not met. Matrix Notes Adjustment -\$45 Base Penalty Subtotal \$5 **Violation Events** Number of Violation Events 237 daily monthly \$1,185 **Violation Base Penalty** mark only one quarterly use a small x semiannual annual Two hundred thirty-seven daily events are recommended from the September 1, 2005 deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006. Economic Benefit (EB) for this violation **Statutory Limit Test** Estimated EB Amount \$18 Violation Final Penalty Total \$1,185

This violation Final Assessed Penalty (adjusted for limits)

Page 4 of 4 08/25/08	H:\ENFORCE\	BCOMBS/ENF	.Cases\Chez-S	salin Qu	iality Cleaners	, Inc\2006-070	8-PCW1.qpw
and the second s	Ec	onomic B	enefit Wo	rkshe	eet		
Respondent	Chez-Salin Qu						
Case ID No.		,,					
Reg. Ent. Reference No.							
Media [Statute]						Percent	Years of
Violation No.		•				Interest	Depreciation
	•					5.0	15
	ltem	Date	Final	Yrs	Interest	Onetime	EB
Item	Cost	Required	Date		Saved	Costs	Amount
Description	No commas or \$	•					
·							
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a .	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0
	The estima	ated cost to reg	ister a dry clea	ning or	drop station fa	acility annually	. The date
Notes for DELAYED costs	required is the	date that the	ompleted regis	tration	form was due	and the final d	ate is the date
		the respo	ondent is projec	cted to	come into com	pliance.	
	L						
•							
Avoided Costs	ANN	JALIZE [1] avoide	d costs before en	tering ite	em (except for on	e-time avoided co	osts)
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
, ,					·		
Notes for AVOIDED costs							
`	L						
Approx. Cost of Compliance	\$250					TOTAL	\$18

Compliance History

Custom	ner/Respondent/Owner-Operator:	CN602522286	Chez-Salin Quality Clear	ners, Inc.	Classification: AVERAGE	E Rating: 3.01
Regula	ted Entity:	RN102150364	LYRIC SOUTH CLEAN	ERS	Classification:	Site Rating:
ID Num	nber(s):			· · · · · · · · · · · · · · · · · · ·		
Locatio	n:	5414 W MILITAR	Y DR, SAN ANTONIO, TX,	78242		
TCEQ	Region:	REGION 13 - SAI	N ANTONIO			
Date C	ompliance History Prepared:	December 21, 20	07			
Agency	Decision Requiring Compliance History:	Enforcement		,		
Compli	ance Period:	December 21, 20	02 to December 21, 2007			
TCEQ:	Staff Member to Contact for Additional Info	rmation Regarding t	his Compliance History			
Name:	Shontay Wilcher	Ph	one: (512) 239-213	6		
		Site C	ompliance History Cor	mponents		
	the site been in existence and/or operation			Yes		
	there been a (known) change in ownership	of the site during th	e compliance period?	No		
	s, who is the current owner? es, who was/were the prior owner(s)?			N/A		<u> </u>
				N/A	•	_
	en did the change(s) in ownership occur? onents (Multimedia) for the Site:			N/A		
A.	Final Enforcement Orders, court judger	ments, and consent	decrees of the state of Texa	as and the fede	ral government.	
	N/A					
_	e de la companya de l	T		•		
В.	Any criminal convictions of the state of N/A	rexas and the rede	ai government.			
C.	Chronic excessive emissions events.		•			
	N/A					
D.	The approval dates of investigations. (0	CCEDS Inv. Track. N	lo.)			
E.	Written notices of violations (NOV). (CO	CEDS Inv. Track. No).)		,	
F.	Environmental audits. N/A					
G.	Type of environmental management sy	stems (EMSs).				
	N/A					
H.	Voluntary on-site compliance assessme	ent dates.				
ſ.	N/A Participation in a voluntary pollution rec	luction program.				
	N/A					
J.	Early compliance.					
	N/A					
Sites O	outside of Texas					
	* 17.4					

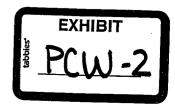


Page 1 of 4 08	3/25/08 H:\EN	FORCE\BCOM	IBS\ENF.Case	es\Che	z-Salin C	Quality Cleaner	s, Inc\2006-0708-P	CW4.qpw
Policy Revision 2		enalty Cal	culation	Wor	kshee	et (PCW)	PCW Revision I	May 19. 2005
TCEQ	(Gepterriber 2002)						7 077 1107101077	,, 10, 2000
DATES Assigned	05-Sep-2006 20-Sep-2006	Screening	15-Sep-2006] <u>E</u>	PA Due]	
RESPONDENT/FACIL	ITY INFORMA	TION						
	Chez-Salin Qua		nc. dba Rode	o Clea	ners 1			
Reg. Ent. Ref. No.		.						
Facility/Site Region	13-San Antonio)		<	Major/I	Minor Source	Minor Source	N N
			, ,					
CASE INFORMATION				1	No	of Violations	1	
Enf./Case ID No.	2006-0708-DCI	_F		1	NO.	Order Type		< <
Media Program(s)				<	Enf.		Shontay Wilcher	11-7.1
Multi-Media							Enforcement Tean	n 7
Admin. Penalty \$ Li		\$0	Maximum	9	550		,) Monte and a
		Penalt	ty Calcul	atior	n Sect	ion		
TOTAL BASE PEN	NALTY (Sum	of violation	base pena	lties)			Subtotal 1	\$1,185
ADJUSTMENTS (+	+/-) TO SUBT	OTAL 1						
	obtained by multiplyi		enalty (Subtotal	1) by the	indicated p	ercentage.		
Compliance F				Enhanc			otals 2, 3, & 7	\$0
Notes		No adjustme	nt for complia	nce hi	story.			
I								
Culpability	No [X .	0%	Enhanc	ement		Subtotal 4	\$0
Notes	The r	espondent doe	s not meet the	e culpa	bility crite	eria.		
Good Faith Et	ffort to Comply	,	0%	Reducti	on		Subtotal 5	\$0
_	Before NOV	NOV to EDPRP/Se	ttlement Offer					
Extraordinary								
Ordinary								`
N/A	X	mark with a small	x)				1	
Notes	The r	espondent doe	s not meet the	e good	faith crite	eria.	•	
			00/	F-6			Cultatal C	¢0
Economic Be	nerit Total EB Amounts	\$18	U%	Enhanc *Capp		otal EB \$ Amount	Subtotal 6	\$0
	ost of Compliance	\$250				,	-	*
SUM OF SUBTOT	ALS 1-7					F	Final Subtotal	\$1,185
								
OTHER FACTORS							Adjustment	\$0
Reduces or enhances the Fir	nal Subtotal by the ir	idicated percentage	e. (Enter number	only; e.g	30 for -3	0%.)		
Notes								
						Final Pe	nalty Amount	\$1,185
STATUTORY LIMI	T ADJUSTM	ENT				Final Asse	essed Penalty	\$1,185
DEFERRAL					0%	Reduction	Adjustment	\$0
Reduces the Final Assessed	Penalty by the indic	ted percentage. (E	nter number only	; e.g. 20				
r								

This is not an expedited case.

Notes

PAYABLE PENALTY



Screening Date 15-Sep-2006

Docket No. 2006-0708-DCL-E

PCW

Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 1

Policy Revision 2 (September 2002)
PCW Revision May 19, 2005

Case ID No. 29777
Reg. Ent. Reference No. RN104087390
Media [Statute] Drycleaner

Enf. Coordinator Shontay Wilcher

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component		nter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement ord without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	ers 0	0%
Judgments and	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	ng O	0%
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a der of liability, of this state or the federal government	nial 0	0%
Convictions	Any criminal convictions of this state or the federal government (numbe of counts)	<i>r</i> 0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were	0	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
		e Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
041	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

			Adjustment Percentage (Subtotal 2)	0%			
>>	Repeat Violator	(Subtotal 3)					
	N/A	A STATE OF THE STA	Adjustment Percentage (Subtotal 3)	0%			
>>	Compliance His	tory <i>Person</i> Classi	ification (Subtotal 7)				
	Average Perfe	ormer	Adjustment Percentage (Subtotal 7)	0%			
>>	Compliance His	tory Summary	•				
	Compliance History Notes	No adjustment for compliance history.					
			Total Adjustment Percentage (Subtotals 2, 3, & 7)	0%			

H;\ENFORCE\BCOMBS\ENF.Cases\Chez-Salin Quality Cleaners, Inc\2006-0708-PCW4.qpw Screening Date 15-Sep-2006 Docket No. 2006-0708-DCL-E Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 1 Policy Revision 2 (September 2002) Case ID No. 29777 PCW Revision May 19, 2005 Reg. Ent. Reference No. RN104087390 Media [Statute] Drycleaner Enf. Coordinator Shontay Wilcher **Violation Number** 30 Tex. Admin. Code § 337.11(e) Primary Rule Cite(s) Tex. Health & Safety Code § 374.102 Secondary Rule Cite(s) The respondent failed to renew the facility's registration by completing and submitting the required registration form to the TCEQ for a dry cleaning **Violation Description** and/or drop station facility. **Base Penalty** \$50 **Environmental, Property and Human Health Matrix** >> Release Moderate OR Actual Potential Percent **Programmatic Matrix** >> Falsification Minor Moderate Percent 10% Matrix Notes 100% of the rule requirement was not met. Adjustment -\$45 Base Penalty Subtotal \$5 **Violation Events** Number of Violation Events 237 daily monthly Violation Base Penalty \$1,185 mark only one quarterly use a small x semiannuai annuai single event Two hundred thirty-seven daily events are recommended from the September 1, 2005 regulatory deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006. Economic Benefit (EB) for this violation **Statutory Limit Test Violation Final Penalty Total** \$1,185 Estimated EB Amount \$18

This violation Final Assessed Penalty (adjusted for limits)

Page 4 of 4 08/25/08	H:\ENFORCE\	BCOMBS\ENF	.Cases\Chez-S	Salin Qu	ality Cleaners	, Inc\2006-070	8-PCW4.qpw
	Ed	onomic B	enefit Wo	rkshe	et		
Respondent	Chez-Salin Qu						
Çase ID No.		,,		,			
Reg. Ent. Reference No.		ı					
Media [Statute]						Percent	Years of
Violation No.						Interest	Depreciation
						5.0	15
	ltem	Date	Final	Yrs	Interest	Onetime	EB
Item	Cost	Required	Date		Saved	Costs	Amount
Description	No commas or \$	•					
•							
Delayed Costs							
Equipment	;		•	0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0
	The estima	ated cost to reg	gister a dry clea	aning or	drop station fa	acility annually	. The date
Notes for DELAYED costs	required is t	he date that th	e completed re			ue and the fina	I date is the
			projected da	ate of co	ompliance.		
Avoided Costs	ANN	UALIZE [1] avoide	d costs before en	tering ite	m (except for on	e-time avoided c	osts)
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling			·	0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
•							
Notes for AVOIDED costs							
	<u> </u>						
Annroy Cost of Compliance	\$250					TOTAL	\$18

Compliance History

Customer/Respondent/Owner-Operator:	CN602522286	Chez-Salin Quality Cleane	ers, Inc.	Classification: AV	ERAGE	Rating: 3.01
Regulated Entity:	RN104087390	RODEO CLEANERS 1		Classification:		Site Rating:
ID Number(s):						
Location:	633 S WW WHITE	E RD, SAN ANTONIO, TX, 7	8220			
TCEQ Region:	REGION 13 - SAN	N ANTONIO				
Date Compliance History Prepared:	December 21, 200	07				
Agency Decision Requiring Compliance History:	Enforcement					
Compliance Period:	December 21, 200	02 to December 21, 2007				
TCEQ Staff Member to Contact for Additional Infor	mation Regarding th	nis Compliance History				
Name: Shontay Wilcher	Pho	one: (512) 239-2136				
	Site Co	ompliance History Com	ponents			
1. Has the site been in existence and/or operation	for the full five year	compliance period?	Yes			
2. Has there been a (known) change in ownership	of the site during the	e compliance period?	No			
3. If Yes, who is the current owner?	,		N/A			
4. if Yes, who was/were the prior owner(s)?			N/A			
5. When did the change(s) in ownership occur?			N/A			
Components (Multimedia) for the Site:			and the federal			•
A. Final Enforcement Orders, court judgen	ienis, and conseni (decrees of the state of Texas	and the lederal	government.		
N/A						
B. Any criminal convictions of the state of	Texas and the feder	al government.				
N/A						
C. Chronic excessive emissions events.		,				
N/A D. The approval dates of investigations. (C	CEDS Inv. Track, N	lo.)				. •
N/A 1 08/29/2006 (466470)		,				
E. Written notices of violations (NOV). (CC	EDS Inv. Track. No	.)				
F. Environmental audits. N/A						
G. Type of environmental management sys	stems (EMSs).					
N/A		•		•		•
H. Voluntary on-site compliance assessme	nt dates.					
N/A						
I. Participation in a voluntary pollution red	uction program.					
N/A		•				
J. Early compliance.						
N/A			•			
Sites Outside of Texas N/A						

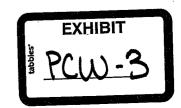
EXHIBIT

Significant

CH-2

Policy Revision 2	Penalty Calculation Worksheet (PCW)	PCW Revision May	19, 2005
TCEQ	(4-)		· · · · · · · · · · · · · · · · · · ·
DATES Assigned	07-Aug-2006		• ···
		•	
RESPONDENT/FACI			
	Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 2		
Reg. Ent. Ref. No.			
Facility/Site Region	13-San Antonio Source	Minor Source	<u> </u>
CASE INFORMATION			
Enf./Case ID No.			
	2006-0708-DCL-E Order Type		<
Media Program(s)			
Multi-Media		Enforcement Team 7	<
Admin. Penalty \$ L	imit Minimum \$0 Maximum \$50		
	Penalty Calculation Section	·	
TOTAL BASE PE	NALTY (Sum of violation base penalties)	Subtotal 1	\$1,185
' .	• •		
ADJUSTMENTS (+/-) TO SUBTOTAL 1		
	obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.	•	
Compliance		otals 2, 3, & 7	\$0
Compilation	notory		
Notes	No adjustment for compliance history.		
Culpability	No S Enhancement	Subtotal 4	\$0
Notes	The respondent does not meet the culpability criteria.		
0 15.00.5	Start to Committee	Cubinial 5	¢0
Good Faith E	ffort to Comply 0% Reduction	Subtotal 5	\$0
Cutroordinon	Before NOV NOV to EDPRP/Settlement Offer		
Extraordinary	<u></u>		
Ordinary			
N/A	X (mark with a small x)		
Notes	The respondent does not meet the good faith criteria.	•	
Economic Be		Subtotal 6	\$0
	Total EB Amounts \$18 *Capped at the Total EB \$ Amount		
Approx. (Cost of Compliance \$250		
OUR OF OURTO	'ALO 4.7	inal Subtotal	¢4.40E
SUM OF SUBTO	AL5 1-7	iliai Subtotai	\$1,185
OTUED EAGTOR	A A MOTIOE MAY DECLUDE	Adimeterant	<u> </u>
	S AS JUSTICE MAY REQUIRE	Adjustment	\$0
Reduces or enhances the F	nal Subtotal by the indicated percentage. (Enter number only; e.g30 for -30%.)	•	
Notes	·	/	
110100	•		
	Final Per	nalty Amount	\$1,185
STATUTORY LIM	IT ADJUSTMENT Final Asse	ssed Penalty	\$1,185
DEFERRAL	0% Reduction	Adjustment	\$0
	Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)		+ •
Neudoes the Filial Masesse	To thinky by the middled percentage. (Enter matribet ethy, e.g. 20 for 2078 reduction.)		4
Notes	This is not an expedited case.		ļ
	·		

PAYABLE PENALTY



Screening Date 07-Aug-2006

Docket No. 2006-0708-DCL-E

PCW

0%

Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 2

Policy Revision 2 (September 2002)
PCW Revision May 19, 2005

Case ID No. 29777
Reg. Ent. Reference No. RN104087473
Media [Statute] Drycleaner
Enf. Coordinator Shontay Wilcher

History Notes

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component		Number Here	Adjust.
	Written NOVs with same or similar violations as those in the current	0	0%
NOVs	enforcement action (number of NOVs meeting criteria)		
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders.	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria).	0	0%
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were	0	0%
. Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
		ter Yes or No	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
00.	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
	Adjustment Percen	tage (Sul	ototal 2)
peat Violator	(Subtotal 3)		
N/A	Adjustment Percen	tage (Sul	ototal 3)
mpliance His	story <i>Person</i> Classification (Subtotal 7)		
Average Perf		tage (Sul	ototal 7)
mpliance His	story Summary		•
Compliance	No adjustment for compliance history.		

Total Adjustment Percentage (Subtotals 2, 3, & 7)

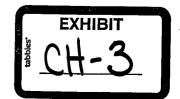
This violation Final Assessed Penalty (adjusted for limits)

\$1.185

	E,		enefit Wo				0-1-0vvz.qpvv
Respondent Case ID No. Reg. Ent. Reference No.	Chez-Salin Qu 29777	ality Cleaners,					
Media [Statute] Violation No.	Drycleaner					Percent Interest 5.0	Years of Depreciation 15
	Item	Date	Final	Yrs	Interest	Onetime	EB
Item	Cost	Required	Date		Saved	Costs	Amount
Description	No commas or \$						
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0
Notes for DELAYED costs	The estimated cost to register a dry cleaning or drop station facility annually. The date						
Avoided Costs	ANN	UALIZE [1] avoide	d costs before en	tering ite	m (except for one	-time avoided co	osts)
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	. \$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Notes for AVOIDED costs				•			
Approx. Cost of Compliance	\$250					TOTAL	\$18

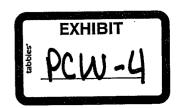
Compliance History

Custo	mer/Respondent/Owner-Operator:	CN602522286	Chez-Salin Quality Clear	ners, Inc.	Classification: AVERAGE	Rating: 3.01
Regula	ated Entity:	RN104087473	RODEO CLEANERS 2		Classification:	Site Rating:
ID Mui	mber(s):					
Location		4707 PECAN VAI	LEY DR, SAN ANTONIO,	TX, 78223	the state of the s	
TCEO	Region:	REGION 13 - SAI	N ANTONIO		1	
	Compliance History Prepared:	December 21, 20				
	y Decision Requiring Compliance History:	Enforcement				
-	liance Period:		02 to December 21, 2007			
TCEQ	Staff Member to Contact for Additional Info	rmation Regarding t	nis Compliance History			
Name			one: (512) 239-2136	3		
		Site C	ompliance History Cor	nponents		
1. Has	the site been in existence and/or operation			Yes		
	there been a (known) change in ownership	of the site during th	e compliance period?	No		
	es, who is the current owner?		•	<u>N/A</u>		
4. if Y	es, who was/were the prior owner(s)?			N/A		
5. Wh	en did the change(s) in ownership occur?			N/A		
Comp	oonents (Multimedia) for the Site :					
A.	Final Enforcement Orders, court judger	ments, and consent	decrees of the state of Texa	as and the fede	eral government.	
	N/A					
В.	Any criminal convictions of the state of	Texas and the feder	al government.			
	N/A					
C.	Chronic excessive emissions events.	•				
	N/A					
D.	The approval dates of investigations. (0 1 08/02/2006 (480613)	CCEDS Inv. Track. N	lo.)			
E.	Written notices of violations (NOV). (CO	CEDS Inv. Track. No	.)			
F.	Environmental audits. N/A					
G.	Type of environmental management sy	stems (EMSs).				<u>\</u>
	N/A	-	·		•	·
H.	Voluntary on-site compliance assessme	ent dates.				
	N/A					
I.	Participation in a voluntary pollution rec	luction program.				
	N/A					_
J.	Early compliance.	•				
00 - 1	N/A					
Sites (Outside of Texas N/A				•	
	13//3					



Lage For + Oc	720/00 The Charles of Medical Control Country Cleaners	e, mezeee er ee r erreider	
Policy Revision 2	Penalty Calculation Worksheet (PCW)	PCW Revision May 19, 200	05
TCEQ			
	05-Jun-2006	•	
PCW	30-Aug-2006 Screening 05-Jun-2006 EPA Due		
RESPONDENT/FACIL			<u> </u>
Respondent	Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 3		
Reg. Ent. Ref. No.			
Facility/Site Region		Minor Source	<
CASE INFORMATION	1 1000		
Enf./Case ID No.		1	
	2006-0708-DCL-E Order Type		<
Media Program(s)			erred)
Multi-Media		Enforcement Team 7	<
Admin. Penalty \$ Li		Linerodinant roam.	l-week)
Admin. Penalty 4 Li	mit wimmum 40 waximum 400		
TOTAL BASE PEN	Penalty Calculation Section NALTY (Sum of violation base penalties)	Subtotal 1 \$	61,185
IOIAL DI IOLI A.	METT (Out to Floration Sado personal)		,.
AD HISTRICATO (LA TO CUDTOTAL 4		
	+/-) TO SUBTOTAL 1		
	obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.		- 0
Compliance I	listory 0% Enhancement Subt	totals 2, 3, & 7	\$0
Notes	No adjustment for compliance history.		
Notes	ino adjustinent for compliance history.		
ı		ı	
Ordenhillite	No S 0% Enhancement	Subtotal 4	\$0
Culpability	No S 0% Enhancement	Subtotal 4	φu
Notes	The respondent does not meet the culpability criteria.	•	
NOIGO	The respondent does not most the surpasinty official.		
ı		ı	
Good Faith E	ffort to Comply 0% Reduction	Subtotal 5	\$0
0000 1 011	Before NOV NOV to EDPRP/Settlement Offer		7.1
Extraordinary	Belofe NOV 10 CEST N. Postas Mark 2000		
Ordinary			
•	1		
N/A	X (mark with a small x)	1	
Notes	The respondent does not meet the good faith criteria.		
140162	The respondent does not meet the good faith offena.		
'		•	
Economic Be	nefit 0% Enhancement*	Subtotal 6	\$0
	Total EB Amounts \$18 *Capped at the Total EB \$ Amount		
	ost of Compliance \$250	•	
, deb. c	35C O Compliance	•	
OUR OF CURTOT	A1047	Final Subtotal \$	1,185
SUM OF SUBTOT	ALS 1-7	-inai Subtotai 🔝 🏺	1,100
	S AS JUSTICE MAY REQUIRE	Adjustment	\$0
Reduces or enhances the Fi	nal Subtotal by the indicated percentage. (Enter number only; e.g30 for -30%.)		
Notes			
	Final Po	nalty Amount \$	1,185
•	Fillal FC	naity Amount φ	1,100
	· · · · · · · · · · · · · · · · · · ·		
STATUTORY LIMI	T ADJUSTMENT Final Asse	essed Penalty \$	1,185
DEFERRAL	0% Reduction	Adjustment	\$0
	Penalty by the indicted percentage. (Enter number only; e.g. 20 for 20% reduction.)	-	
TOURS THE THIRT TOUGGOOD	Totally by the manager (Enter names, only, e.g. 22 or		
Notes	This is not an expedited case.		

PAYABLE PENALTY



Screening Date 05-Jun-2006

Case ID No. 29777

Docket No. 2006-0708-DCL-E

Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 3

Policy Revision 2 (September 2002) PCW Revision May 19, 2005

Reg. Ent. Reference No. RN104087416 Media [Statute] Drycleaner Enf. Coordinator Shontay Wilcher

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component		nter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	0	0%
	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
Orders	Any adjudicated final enforcement orders, agreed final enforcement ord without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	ers 0	0%
Judgments and	Any non-adjudicated final court judgments or consent decrees containin a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0 0	0%
Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a den of liability, of this state or the federal government	ial 0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	r 0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
۸،۰۰۰	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were	0	0%
Audits	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
		e Enter Yes or No	
	Environmental management systems in place for one year or more	No	0%
•	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
Other	Participation in a voluntary pollution reduction program	No	0%

	1 lease Li	161 163 01 110	
	Environmental management systems in place for one year or more	No	0%
Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program		0%
Otner	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

		federal gov	ernment environn	nental requirements		1,10		
			٠		Adjustment P	ercentage (Subtotal :	2) 0%
>>	Repeat Violato	r (Subtotal	3)			•		
	N/A		<u>V</u>		Adjustment P	ercentage (Subtotal 3	3) 0%
>>	Compliance Hi	story <i>Perso</i>	n Classification	(Subtotal 7)				
	Average Per	former	V.		Adjustment P	ercentage (Subtotal :	7) 0%
>>	Compliance Hi	story Sumn	ary	•		•		•
	Compliance History Notes	Ħ	No adjustment for compliance history.					

Total Adjustment Percentage (Subtotals 2, 3, & 7)

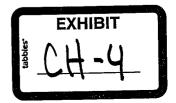
0%

Page 3 of 4 08/25/08 H:\ENFORCE\BCOMBS\ENF.Cases\Chez-Salin Quality Cleaners, Inc\2006-0708-PCW3.qpw Screening Date 05-Jun-2006 Docket No. 2006-0708-DCL-E Respondent Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 3 Policy Revision 2 (September 2002) Case ID No. 29777 PCW Revision May 19, 2005 Reg. Ent. Reference No. RN104087416 Media [Statute] Drycleaner Enf. Coordinator Shontay Wilcher Violation Number 30 Tex. Admin. Code § 337.11(e) Primary Rule Cite(s) Tex. Health & Safety Code § 374.102 Secondary Rule Cite(s) The respondent failed to renew the facility's registration by completing and **Violation Description** submitting the required registration form to the TCEQ for a dry cleaning and/or drop station facility. **Base Penalty** \$50 **Environmental, Property and Human Health Matrix** Harm Release Major Moderate OR Actual Percent Potential **Programmatic Matrix** Falsification Moderate Minor Percent 10% Matrix Notes 100% of the rule requirement was not met. Adjustment -\$45 **Base Penalty Subtotal** \$5 **Violation Events** Number of Violation Events daily X monthly \$1,185 **Violation Base Penalty** mark only one quarterly semiannual use a small x annua single event Two hundred thirty-seven daily events are recommended from the September 1, 2005 regulatory deadline to the April 26, 2006 deadline established by the TCEQ letter dated March 24, 2006. Economic Benefit (EB) for this violation **Statutory Limit Test** Estimated EB Amount \$18 **Violation Final Penalty Total** \$1,185 This violation Final Assessed Penalty (adjusted for limits) \$1,185

Fage 4 01 4 00/20/00		DOOMBOLLIN	.00303101102 0	- Committee	unity Cioanoro	111012000 01 0	o , o , o , o , o , o , o , o , o , o ,
	Ec	conomic B	enefit Wo	rkshe	et		
Respondent	Chez-Salin Qu	ality Cleaners.	Inc. dba Rodeo	Clean	ers 3		
Case ID No.		•					
Reg. Ent. Reference No.	RN104087416	i					
Media [Statute]						Percent	Years of
Violation No.						Interest	Depreciation
					}	5.0	15
	Item	Date	Final	Yrs	Interest	Onetime	EB
Item	Cost	Required	Date		Saved	Costs	Amount
Description	No commas or \$						
Delayed Costs				,			,
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$250	01-Sep-2005	30-Jan-2007	1.4	\$18	n/a	\$18
Other (as needed)				0.0	\$0	n/a	\$0
	The estima	ated cost to reg	gister a dry clea	ning or	drop station fa	acility annually	. The date
Notes for DELAYED costs	required is t	he date that the	e completed re			ie and the fina	I date is the
			projected da	ate of co	ompliance.		
				.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			
· .		,					
Avoided Costs	· ANN	UALIZE [1] avoide	d costs before en	tering ite	m (except for on	e-time avoided c	osts)
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling			·	0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]			·	0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Natas for AVOIDED seets							
Notes for AVOIDED costs							
	1				NT. D. O. T. D. T. D.		
Approx. Cost of Compliance	\$250					TOTAL	\$18

Compliance History

Customer	/Respondent/Owner-Operator:	CN602522286	Chez-	Salin Quality Clean	ers, Inc.	Classification: AVERAG	E Rating: 3.01
Regulated	l Entity:	RN104087416	RODE	O CLEANERS 3		Classification:	Site Rating:
ID Numbe	er(s):						
Location:	,	2606 PLEASANT	ON RD,	SAN ANTONIO, TX	(, 78221		· · · · · · · · · · · · · · · · · · ·
TCEQ Re	aion.	REGION 13 - SAN	NOTUA I	NO.			•
	pliance History Prepared:	December 21, 200					
Agency D	ecision Requiring Compliance History:	Enforcement			1		
Complian		December 21, 200	02 to Dec	cember 21, 2007			, ,
TCEQ Sta	aff Member to Contact for Additional infor	mation Regarding th	nis Comp	liance History			
Name:	Shontay Wilcher	Pho	one:	(512) 239-2136			
•	•	Site Co	ompliar	nce History Com	nponents		
1. Has the	site been in existence and/or operation		-	_	Yes		
	ere been a (known) change in ownership				No		
3. If Yes,	who is the current owner?				N/A		
4. if Yes,	who was/were the prior owner(s)?				N/A		_
5. When	did the change(s) in ownership occur?				N/A		
Compor	ents (Multimedia) for the Site :						 .
Α.	Final Enforcement Orders, court judgem	nents, and consent o	decrees o	of the state of Texa	s and the fede	ral government.	
	N/A						
_							
B.	Any criminal convictions of the state of 7 N/A	l exas and the feder	aı goverr	iment.			
C.	Chronic excessive emissions events.						
0.	N/A						
D.	The approval dates of investigations. (C	CEDS Inv. Track. N	la.)			•	
D .	1 05/31/2006 (466460) 2 08/23/2006 (509899)		,			•	
E.	Written notices of violations (NOV). (CC	EDS Inv. Track. No	.)				
F.	Environmental audits. N/A						
G.	Type of environmental management sys	stems (EMSs).					
	N/A						
Н.	Voluntary on-site compliance assessme	nt dates.					
	N/A						
l .	Participation in a voluntary pollution red	uction program.					
	N/A						
J.	Early compliance.						
	N/A						
Sites Outs	side of Texas	•					
	N/A						



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



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§	TEXAS COMMISSION ON
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§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2006-0708-DCL-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality, ("Commission" or "TCEQ") considered the agreement of the parties, resolving an enforcement action regarding Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 1, dba Rodeo Cleaners 2, dba Rodeo Cleaners 3, and dba Lyric South Cleaners, ("Chez-Salin") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 374. The Executive Director of the TCEQ, represented by the Litigation Division, and Chez-Salin, appear before the Commission and together stipulate that:

- 1. Chez-Salin owns, in accordance with Tex. Health & Safety Code § 374.001(12), and operates a dry cleaning facility called Lyric South Cleaners located at 5414 W. Military Drive, San Antonio, Bexar County, Texas. ("Lyric"). The Facility is a retail commercial establishment that operates or has operated, in whole or in part for the purpose of cleaning garments or other fabrics using a process that involves any use of dry cleaning solvents. As such, the Facility is a dry cleaning facility as defined in Tex. Health & Safety Code § 374.001(7).
- 2. Chez-Salin also owns and operates three dry cleaning drop stations. Rodeo Cleaners 1 ("Rodeo 1") is located at 633 S. WW White Road, San Antonio, Bexar County, Texas. Rodeo Cleaners 2 ("Rodeo 2") is located at 4707 Pecan Valley Drive, San Antonio, Bexar

County, Texas. Rodeo Cleaners 3 ("Rodeo 3") is located at 2606 Pleasanton Road, San Antonio, Bexar County, Texas. Rodeo 1, 2 & 3 are retail commercial establishments the primary business of which is to act as collection points for the drop-off and pick-up of garments or other fabrics that are sent to the main dry cleaning facility location for processing. As such, Rodeo 1, 2, & 3 are dry cleaning drop stations as defined in Tex. Health & Safety Code § 374.001(6).

- 3. This Agreed Order is entered into pursuant to Tex. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to Tex. WATER CODE § 5.013 because it alleges violations of Tex. Health & Safety Code ch. 374 and the TCEQ rules.
- 4. The Commission and Chez-Salin agree that the Commission has jurisdiction to enter this Agreed Order, and that Chez-Salin is subject to the Commission's jurisdiction.
- 5. Chez-Salin received notice of the violations alleged in Section II ("Allegations") on or about May 31, 2006, August 2, 2006 and August 29, 2006.
- 6. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Chez-Salin of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 7. An administrative penalty in the amount of four thousand seven hundred forty dollars (\$4,740.00) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Chez-Salin has paid four thousand seven hundred forty dollars (\$4,740.00) of the administrative penalty.
- 8. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
- 9. The Executive Director of the TCEQ and Chez-Salin have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 10. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Chez-Salin has not complied with one or more of the terms or conditions in this Agreed Order.
- 11. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.

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12. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

Chez-Salin is alleged to have violated 30 Tex. ADMIN. CODE § 337.11(e) and Tex. HEALTH & SAFETY CODE § 374.102(a) by failing to complete and submit the required registration forms to TCEQ for the Lyric dry cleaning facility and the Rodeo 1, Rodeo 2, and Rodeo 3 drop stations, as documented during compliance investigations conducted on May 18 and June 7, 2006.

III. DENIALS

Chez-Salin generally denies the allegation in Section II ("Allegations").

IV. ORDER

1. It is, therefore, ordered by the TCEQ that Chez-Salin pay an administrative penalty as set forth in Section I, Paragraph Seven above. The payment of this administrative penalty and Chez-Salin's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from considering requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Chez-Salin Quality Cleaners, Inc. dba Rodeo Cleaners 1, dba Rodeo Cleaners 2, dba Rodeo Cleaners 3, and dba Lyric South Cleaners; Docket No. 2006-0708-DCL-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. Chez-Salin shall undertake the following technical requirements:
 - a. Within 30 days after the effective date of this Agreed Order, Chez-Salin shall properly register Lyric, and Rodeo 1, 2, and 3.

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b. Chez-Salin shall, within forty-five (45) days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision 2.a. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

With a copy to:

Henry Karnei, Waste Section Manager San Antonio Regional Office Texas Commission on Environmental Quality 14250 Judson Road San Antonio, Texas 78233-4480

- 3. The provisions of this Agreed Order shall apply to and be binding upon Chez-Salin. Chez-Salin is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Lyric and Rodeo 1, 2, and 3 operations referenced in this Agreed Order.
- 4. If Chez-Salin fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Chez-Salin's failure to comply is not a violation of this Agreed Order. Chez-Salin shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Chez-Salin shall notify the Executive Director within seven days after Chez-Salin becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.

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- 5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Chez-Salin shall be made in writing to the Executive Director. Extensions are not effective until Chez-Salin receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 6. This Agreed Order, issued by the Commission, shall not be admissible against Chez-Salin in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
- 7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 8. Under 30 Tex. ADMIN. Code § 70.10(b) and Tex. Gov't Code § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Chez-Salin, or three days after the date on which the Commission mails notice of the Order to Chez-Salin, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

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SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	\wedge
For the Executive Dir	Verdu
For the Executive Dir	rector

12/18/08

I, the undersigned, have read and understand the attached Agreed Order. I represent that I ar: authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below m, signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEO, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that my failure to comply with the Ordering Provisions, if any, in this order and/c1 my failure to timely pay the penalty amount, may result in:

- A negative impact on the entity's compliance history;
- Creater scrutiny of any permit applications submitted by the entity;
- Referral of this case to the Attorney General's office for contempt, injunctive reliain additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against the entity;
- Automatic referral to the Attorney General's Office of any future enforcement actions again... the entity; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution. Signature

CHEZ- Salin Quality Clashers Inc Pierre Sanchez, for

President

Chez-Salin Quality Cleaners, Inc. dba

Rodeo Cleaners 1, dba Rodeo Cleaners 2,

dba Rodeo Cleaners 3, and dba Lyric South Cleaners